



The David J. Joseph Company

RECORDATION NO. 22566-A FILED

OCT 21 '03

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SURFACE TRANSPORTATION BOARD



October 20, 2003

Mr. Vernon Williams  
Recordations Unit  
Surface Transportation Board  
1925 K Street, N.W.  
Washington, DC 20006-0001

Dear Mr. Williams:

Please find enclosed, two (2) originals of the Memorandum of Amendment No. 1 to Railroad Equipment Lease dated as of September 24, 2003 between the following parties:

Lessee: Environmental Protection and Improvement Company d/b/a Epic  
1800 Bering Drive, Suite 1000  
Houston, TX 77057

Lessor: Joseph Leasing Ltd.  
300 Pike Street  
Cincinnati, OH 45202

Please see Exhibit A for the equipment, sixty (60) railcars, involved in this transaction.

This filing is to appear in the index as follows: Memorandum of Amendment No. 1 to Railroad Equipment Lease dated as of September 24, 2003 related to sixty (60) railcars bearing reporting marks DJJX 9900 – 9978, sporadic and JTLX 100105 -100119, inclusive.

Please file this agreement as a secondary document as it relates to documents previously filed with the Surface Transportation Board under Recordation Number 22566. The filing fee for this document in the amount of \$30.00, is included on the enclosed check. Please return the original to my attention.

Should you have any questions or need further information, please do not hesitate to contact me at (513) 929-4500, ext. 4239.

Sincerely,

The David J. Joseph Company

Julie M. Woodard  
Documentation Coordinator

Enclosures

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**MEMORANDUM OF  
AMENDMENT NO. 1 TO  
RAILROAD EQUIPMENT LEASE**

**SURFACE TRANSPORTATION BOARD**

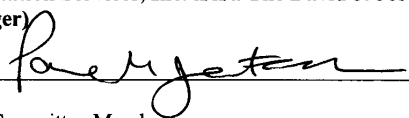
This **MEMORANDUM OF AMENDMENT NO. 1 TO THE RAILROAD EQUIPMENT LEASE** ("Memorandum of Amendment No. 1") entered into this 24<sup>th</sup> day of September, 2003, is intended to evidence the amendment dated as of September 24, 2003 (the "Amendment No. 1"), between **JOSEPH LEASING LTD.** ("Lessor"), **ENVIRONMENTAL PROTECTION AND IMPROVEMENT COMPANY d/b/a EPIC** ("Lessee"), and **JOSEPH TRANSPORTATION SERVICES, INC.** (n/k/a The David J. Joseph Company) ("Manager") for the purpose of satisfying the requirements of recordation with the Surface Transportation Board under Section 49 of U.S.C. 11301. Lessee has the right to use the sixty (60) railcars described in Exhibit A attached hereto (the "Units"). Lessee is renting from Lessor all the Units at the rentals and upon the terms and conditions provided in the Lease.

**FURTHER**, the Memorandum of Railroad Equipment Lease (the "Memorandum of Lease") between Lessor and Lessee, was duly filed with the Surface Transportation Board ("STB") on December 1, 1999, with Recordation No. 22566. This Memorandum of Lease Amendment No. 1 should receive Recordation No. 22566-A.

**IN WITNESS WHEREOF**, Lessor and Lessee, each pursuant to due corporate authority, has executed this Memorandum of Amendment No. 1 on the date indicated below its signature.

**LESSOR**

**JOSEPH LEASING LTD. (for itself and for Joseph  
Transportation Services, Inc. n/k/a The David J. Joseph Company,  
as Manager)**

By: 

Title: Committee Member

Date: September 24, 2003

**LESSEE**

**ENVIRONMENTAL PROTECTION AND IMPROVEMENT  
COMPANY d/b/a EPIC**

By: 

Title: Mark A. Rome, Vice President

Date: September 29, 2003

STATE OF OHIO )  
 )  
COUNTY OF HAMILTON ) SS:

The foregoing instrument was acknowledged before me this 24<sup>th</sup> day of September, 2003, by Paul G. Jantsch, a Committee Member of Joseph Leasing Ltd., an Ohio limited liability company, on behalf of the company.

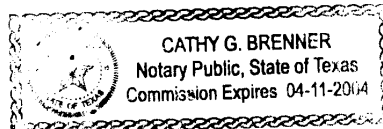
Angela Denise Watts  
Notary Public

ANGELA DENISE WATTS  
Attorney at Law  
Notary Public, State of Ohio  
My Commission Has No Expiration  
Date Section 147.03 O.R.C.

STATE OF Texas )  
 )  
COUNTY OF Tarrant ) SS:

The foregoing instrument was acknowledged before me this 26<sup>th</sup> day of September 2003, by Mark A. Rome, the Vice President of Environmental Protection and Improvement Company, d/b/a EPIC, a New Jersey corporation, on behalf of the corporation.

Cathy G. Brenner  
Notary Public



## **EXHIBIT A**

To the Memorandum of Amendment No. 1 dated September 24, 2003, between Joseph Leasing Ltd. and Environmental Protection and Improvement Company, d/b/a EPIC.

### **DESCRIPTION OF UNITS**

Sixty (60) railcars bearing reporting marks as follows:

DJJX009900  
DJJX009902  
DJJX009903  
DJJX009904  
DJJX009905  
DJJX009906  
DJJX009907  
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DJJX009958  
DJJX009960  
DJJX009962  
DJLX009945  
DJLX009952  
DJLX009954  
DJLX009978  
JTLX 100105-100119, inclusive.